

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNIVERSAL CITY STUDIOS, INC., et al.,

Plaintiffs,

-against-

00 Civ. 0277 (LAK)

SHAWN C. REIMERDES, ERIC CORLEY
a/k/a “EMMANUEL GOLDSTEIN,” and
ROMAN KAZAN,

Defendants.
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PRELIMINARY INJUNCTION

LEWIS A. KAPLAN, *District Judge.*

Plaintiffs having moved for a preliminary injunction and the Court having considered papers in support of and in opposition to the motion, heard argument of counsel, made preliminary findings of fact and conclusions of law on the record, and indicated that it subsequently will file a fuller opinion, it is hereby

ORDERED, as follows:

1. Plaintiffs’ motion is granted.
2. Defendants Shawn C. Reimerdes, Eric Corley a/k/a “Emmanuel Goldstein” and Roman Kazan, their officers, agents, servants, employees and attorneys and all persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise be and they hereby are enjoined and restrained, pending the hearing and final determination of this action, from

(a) posting on any Internet web site, or in any other way manufacturing,

importing or offering to the public, providing, or otherwise trafficking in DeCSS, and

(b) posting on any Internet web site, or in any other way manufacturing, importing or offering to the public, providing, or otherwise trafficking in any technology, product, service, device, component, or part thereof, that:

- (i) is primarily designed or produced for the purpose of circumventing, or circumvention the protection afforded by, CSS, or any other technological measure adopted by plaintiffs that effectively controls access to plaintiffs' copyrighted works or effectively protects the plaintiffs' rights to control whether an end user can reproduce, manufacture, adapt, publicly perform and/or distribute unauthorized copies of their copyrighted works or portions thereof;
- (ii) has only limited commercially significant purposes or use other than to circumvent, or to circumvent the protection afforded by, CSS, or any other technological measure adopted by plaintiffs that effectively controls access to plaintiffs' copyrighted works or effectively protects the plaintiffs' rights to control whether an end user can reproduce, manufacture, adapt, publicly perform and/or distribute unauthorized copies of their copyrighted works or portions thereof; or
- (iii) is marketed by defendants and/or others acting in concert with them with the knowledge of its use in circumventing, or in

circumventing the protection afforded by, CSS, or any other technological measure adopted by plaintiffs that effectively controls access to the plaintiffs' copyrighted works or effectively protects the plaintiffs' rights to control whether an end user can reproduce, manufacture, adapt, publicly perform and/or distribute unauthorized copies of their copyrighted works or portions thereof.

3. Certain terms use in this order are defined as follows:

- (a) "DVD" means digital versatile disc.
- (b) "CSS" means the Contents Scramble System used to encrypt, scramble or otherwise protect the contents of certain DVDs from being copied.
- (c) "DeCSS" means any computer program, file or device that may be used to decrypt or unscramble the contents of DVDs that are protected, or otherwise to circumvent the protection afforded, by CSS and that permits the copying of the contents or any portion thereof.

4. The preliminary injunction contained herein is effective immediately. Its continuation beyond 5 p.m. on January 24, 2000 is contingent upon plaintiffs filing with the Clerk,

at or before that time, cash or a bond in the amount of \$10,000 for the payment of such costs and damages as may be incurred or suffered by any party who is found to have been wrongfully enjoined or restrained.

SO ORDERED.

Dated: January 20, 2000

Issued at: _____ p.m.

Lewis A. Kaplan
United States District Judge